

SCHEDULE OF NEW ZEALAND

Sector	All Sectors
Industry Classification	
Obligations concerned	National Treatment (Article 5)
Measure	Companies Act 1993 Financial Reporting Act 1993
Description	<p><u>Investment</u></p> <p>Overseas companies are required to prepare audited financial statements on an annual basis. Legislation also requires financial statements in relation to an overseas company's New Zealand business. The following companies are required to deliver annual audited financial statements to the Registrar of Companies for registration:</p> <ul style="list-style-type: none"> (a) issuers – i.e. those which have raised capital from the New Zealand public; (b) overseas companies; (c) subsidiaries of companies or bodies corporate incorporated outside New Zealand; or (d) companies in which 25 percent or more of the shares are held or controlled by: <ul style="list-style-type: none"> (i) a subsidiary of a company or body corporate incorporated outside New Zealand or a subsidiary of that subsidiary; (ii) a company or body corporate incorporated outside New Zealand; (iii) a person not ordinarily resident in New Zealand.

Sector	Business services
Industry Classification	Services relating to patents
Obligations concerned	National Treatment (Article 5) Market Access (Article 4)
Measure	S.100(2)(a) of the Patents Act 1953
Description	<u>Cross-Border Services and Investment</u> Registration of patent attorneys who have qualified elsewhere than in New Zealand is restricted to those who satisfy the criteria set out in S.100(2)(a) of the Patents Act 1953, being any person who is a British subject or a citizen of the Republic of Ireland.

Sector	Business services Services incidental to dairy and beef cattle farming
Industry Classification	CPC 8812 Services incidental to animal husbandry
Obligations concerned	National Treatment (Article 5)
Measure	The Dairy Industry Restructuring Act 2001
Description	<p><u>Cross-Border Services and Investment</u></p> <p>The Dairy Industry Restructuring Act 2001 (“DIRA”) and regulations provide for the New Zealand government to acquire, free of charge, and without condition, a copy of a regulated database held by the Livestock Improvement Corporation Ltd (“LIC”) in the event of its demutualisation or certain other events.</p> <p>In addition, the DIRA sets out data reporting obligations to the LIC applying to those engaged in herd testing of dairy cattle herds. The DIRA also provides for conditions for access to that data held by LIC.</p> <p>Pursuant to the DIRA, rules for access to the regulated database provide that applications for access to data may be refused unless they are in the interests of the New Zealand dairy industry.</p> <p>Investment restrictions also apply in the case of the LIC, which requires the approval of the responsible Minister if it wishes to relax the current statutory restriction requiring shareholders to be dairy farmers who buy services from the LIC.</p>

Sector	Communication Services Telecommunications
Industry Classification	CPC 7521 Public telephone services CPC 7522 Business network services CPC 7523 Data and message transmission services CPC 7525 Interconnection services CPC 7529 Other telecommunications services
Obligations concerned	National Treatment (Article 5) Market Access (Article 4)
Measure	The Constitution of the Telecom Corporation of New Zealand.
Description	<u>Investment</u> The Constitution of the Telecom Corporation of New Zealand Limited requires New Zealand government approval for the shareholding of any single overseas entity to exceed 49.9 percent. At least half of Board directors are required to be New Zealand citizens.

Sector	Communication Services Audio-visual Services
Industry Classification	CPC 96131 Radio services CPC 96133 Combined programme making and broadcasting services
Obligations concerned	National Treatment (Article 5) Market Access (Article 4) Local Presence (Article 6)
Measure	Radiocommunications Act 1989
Description	<u>Cross-Border Services and Investment</u> The acquisition of licences or management rights to use the radio frequency spectrum, or any interest in such licences or management rights, under the Radiocommunications Act 1989 by foreign governments or agents on behalf of foreign government is subject to the written approval of the Chief Executive of the Ministry of Economic Development.

Sector	Distribution Services Commission agents' services Wholesale trade services
Industry Classification **	<p>CPC 62111 commission agents' services for agricultural raw materials and live animals</p> <p>CPC 62112 commission agents' services for food products, beverages and tobacco</p> <p>CPC 62116 commission agents' services for textiles, clothing and footwear</p> <p>CPC 62118 commission agents' services for goods not elsewhere classified</p> <p>CPC 6221 wholesale trade services for agricultural raw materials and live animals, excluding 62213 for services related to unmanufactured tobacco</p> <p>CPC 62221 wholesale trade services for fruit and vegetables</p> <p>CPC 62223 wholesale trade services for meat, poultry and game</p> <p>CPC 62226 wholesale trade services for beverages</p> <p>CPC 62229 wholesale trade services for food products not elsewhere classified</p> <p>CPC 62231 wholesale trade services for textiles</p> <p>CPC 62234 wholesale trade services for fur articles</p>
** This reservation only applies to products derived from the activities and goods listed in the Description.	
Obligations concerned	National Treatment (Article 5) Market Access (Article 4)
Measure	The Primary Products Marketing Act 1953
Description	<p><u>Cross-Border Services and Investment</u></p> <p>The Primary Products Marketing Act 1953 provides for the establishment of statutory marketing organisations with monopoly or lesser powers over the exporting of products derived from beekeeping; fruit growing; hop growing; deer farming or game deer; or of goats, being the fur bristles or fibres grown by the goat.</p>